

**STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.**

Valuation of Security     Assumption of Executory Contract or Unexpired Lease     Lien Avoidance

Last revised: September 1, 2018

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In Re: Case No.: 20-11290  
John C. Altoonian Judge: \_\_\_\_\_  
Debtor(s)

**Chapter 13 Plan and Motions**

☒ Original    ☐ Modified/Notice Required    Date: 01/14/2020  
☐ Motions Included    ☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER  
CHAPTER 13 OF THE BANKRUPTCY CODE

**YOUR RIGHTS MAY BE AFFECTED**

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

**The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.**

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: JA    Initial Debtor: \_\_\_\_\_    Initial Co-Debtor: \_\_\_\_\_

**Part 1: Payment and Length of Plan**

a. The debtor shall pay \$ 100.00 per month to the Chapter 13 Trustee, starting on 02/01/2020 for approximately 36 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☒ Sale of real property

Description: 20 N. Main St. Cape May Courthouse, NJ 08210

Proposed date for completion: 03/15/2020

☐ Refinance of real property:

Description:

Proposed date for completion: \_\_\_\_\_

☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: \_\_\_\_\_

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection ☐ NONE

a. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to \_\_\_\_\_ (creditor).

b. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: \_\_\_\_\_ (creditor).

### Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$
DOMESTIC SUPPORT OBLIGATION		

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:  
Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

**Part 4: Secured Claims**

**a. Curing Default and Maintaining Payments on Principal Residence: ☒ NONE**

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

**b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☐ NONE**

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

**c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE**

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

**d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments** ☐ **NONE**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES  
the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

**e. Surrender** ☒ **NONE**

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

**f. Secured Claims Unaffected by the Plan** ☒ **NONE**

The following secured claims are unaffected by the Plan:

**g. Secured Claims to be Paid in Full Through the Plan:** ☒ **NONE**

Creditor	Collateral	Total Amount to be Paid Through the Plan

**Part 5: Unsecured Claims** ☐ **NONE**

**a. Not separately classified** allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ \_\_\_\_\_ to be distributed *pro rata*
- ☐ Not less than \_\_\_\_\_ percent
- ☒ *Pro Rata* distribution from any remaining funds

**b. Separately classified unsecured** claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

**Part 6: Executory Contracts and Unexpired Leases ☒ NONE**

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

**Part 7: Motions ☒ NONE**

**NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.**

**a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). ☒ NONE**

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

**b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☒ NONE**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified

**c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☒ NONE**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

**Part 8: Other Plan Provisions**

**a. Vesting of Property of the Estate**

- ☒ Upon confirmation  
☐ Upon discharge

**b. Payment Notices**

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.



**c. Order of Distribution**

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Priority creditors
- 3) Unsecured creditors
- 4) \_\_\_\_\_

**d. Post-Petition Claims**

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

**Part 9: Modification ☐ NONE**

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: \_\_\_\_\_.

Explain below **why** the plan is being modified:

Explain below **how** the plan is being modified:

Are Schedules I and J being filed simultaneously with this Modified Plan?

☐ Yes

☐ No

**Part 10: Non-Standard Provision(s): Signatures Required**

Non-Standard Provisions Requiring Separate Signatures:

☐ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

## Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, *Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: 01/27/2020

/s/ John C. Altoonian  
Debtor

Date: \_\_\_\_\_

\_\_\_\_\_  
Joint Debtor

Date: 01/27/2020

/s/ Bruno Bellucci, III  
Attorney for Debtor(s)

## Certificate of Notice Page 11 of 12

United States Bankruptcy Court  
District of New JerseyIn re:  
John C. Altoonian  
DebtorCase No. 20-11290-JNP  
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-1

User: admin  
Form ID: pdf901Page 1 of 2  
Total Noticed: 52

Date Rcvd: Jan 28, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 30, 2020.

db  
518679408 +John C. Altoonian, 20 N. Main Street, Cape May Court House, NJ 08210-2118  
518679409 +ADP, PO Box 12513, El Paso, TX 79913-0513  
518679410 +Afni, PO Box 3068, Bloomington, IL 61702-3068  
518679411 +Arbor Landscaping, LLC, 3222 Bayshore Rd., Cape May, NJ 08204-3710  
518679412 +Barnes Law Group, LLC, 111 East 17th St. Ste. 100, Wildwood, NJ 08260-5593  
518679413 +Caine & Weiner, 12005 Ford Rd. Ste. 300, Dallas, TX 75234-7262  
518679415 +Cape Regional Physicians Assoc., PO Box 593, Cape May Court House, NJ 08210-0593  
518679421 #+Caterline Communications, 95 Ryan Dr., Raynham, MA 02767-1992  
518679422 +Dave Adams Roofing, 600 S Route 47, Cape May Court House, NJ 08210-1324  
518679423 +Electronic Merchant Systems, c/o Egon P. Singerman, Esquire, 30625 Solon Rd. Ste. C, Solon, OH 44139-3473  
518679425 +FBCS Inc., PO Box 1116, Charlotte, NC 28201-1116  
518679426 +Folkman Law Offices, PC, 1949 Berlin Rd. Se. 100, Cherry Hill, NJ 08003-2077  
518679427 +Ford Credit, PO Box 680020, Franklin, TN 37068-0020  
518679428 +Galaxy Asset Purchasing, LLC, PO 3000 Gentilly Blvd., New Orleans, LA 70177-3000  
518679429 +Geico Indemnity Company, 1 Geico Plz, Washington, DC 20076-0005  
518679430 Hyland Design Group, Inc., 101 E. Eight St., Ocean City, NJ 08226  
518679433 +Jivan Patel of Patel Partnership, d/b/a Cozy Crest Motel, c/o Polman Law Offices PC, 1949 Haddonfield-Berlin Rd #100, Cherry Hill, NJ 08003-2077  
518679434 Johnson & Johnson Preferred Financing, 200 Wingo Way Ste. 200, Greensboro, NC 27420  
518679435 +Liberty Mutual, 175 Berkeley St Unit J091, Boston, MA 02116-3350  
518679436 +Lorraine D. Nicholas, 2 N. Main St., Cape May Court House, NJ 08210-2118  
518679439 +Northland Group, PO Box 390846, Minneapolis, MN 55439-0846  
518679440 +Pennsylvania Turnpike Commission, 300 East Park Drive, Harrisburg, PA 17111-2729  
518679441 +Professional Account Management, LLC, PO Box 1153, Milwaukee, WI 53201-1153  
518679442 +Progressive Insurance, 6300 Wilson Mills Rd, Cleveland, OH 44143-2182  
518679443 +Quickbooks, 21650 Oxnard St. Ste. 2200, Woodland Hills, CA 91367-7824  
518679444 +Recovery Solutions Group, LLC, 1008 Mattlind Way, Milford, DE 19963-5300  
518679445 #+Reliant Funding, 525 Broadhollow Rd. Ste. 200, Melville, NY 11747-3718  
518679447 +Rickart Collection Systems, Inc., PO Box 7242, North Brunswick, NJ 08902-7242  
518679448 +South Jersey Gas, 1 South Jersey Plaza, Hammonton, NJ 08037-9100  
518679450 +The CBE Group, Inc., PO Box 2217, Waterloo, IA 50704-2217  
518679451 +Township of Middle, 33 Mechanic St., Cape May Court House, NJ 08210-2200  
518679453 +US Bank Cust for PC7 First Trust Bank, 50 S. 16th St. # 2050, Philadelphia, PA 19102-2516  
518679452 +United Rentals, 740 W Delilah Rd, Pleasantville, NJ 08232-1250  
518679456 +Wells Fargo Bank, 1 Montgomery St 2nd Fl, San Francisco, CA 94104-4513

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
smg E-mail/Text: usan.j.njbankr@usdoj.gov Jan 29 2020 00:00:18 U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Jan 29 2020 00:00:15 United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235  
518679417 +E-mail/Text: bankruptcynotices@cbecompanies.com Jan 29 2020 00:00:44 CBE Group, 1309 Technology Pkwy., Cedar Falls, IA 50613-6976  
518679414 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jan 28 2020 23:54:10 Capital One Bank USA, PO Box 30281, Salt Lake City, UT 84130-0281  
518679416 +E-mail/Text: bankruptcy@cavps.com Jan 29 2020 00:00:38 Cavalry Investments, LLC, 500 Summit Lake Drive, Suite 400, Valhalla, NY 10595-2321  
518679418 +E-mail/Text: documentfiling@lciinc.com Jan 28 2020 23:57:45 Comcast Cable, 1701 JFK Blvd., Philadelphia, PA 19103-2899  
518679419 +E-mail/Text: convergent@ebn.phinsolutions.com Jan 29 2020 00:00:47 Convergent, PO Box 9004, Renton, WA 98057-9004  
518679420 +E-mail/Text: bankruptcy\_notifications@ccsusa.com Jan 29 2020 00:01:06 Credit Collection Services, 725 Canton St., Norwood, MA 02062-2679  
518679422 +E-mail/Text: jstauaffe\_bk@ebay.com Jan 29 2020 00:01:22 Ebay, 2065 Hamilton Ave., San Jose, CA 95125-5904  
518679424 +E-mail/Text: bknotice@ercbpo.com Jan 29 2020 00:00:21 Enhanced Recovery, 8014 Bayberry Rd., Jacksonville, FL 32256-7412  
518679431 +E-mail/Text: cio.bncmail@irs.gov Jan 28 2020 23:59:26 Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346  
518679432 E-mail/Text: JCAP\_BNC\_Notices@jcap.com Jan 29 2020 00:00:30 Jefferson Capital System, 16 McLeland Rd., Saint Cloud, MN 56303  
518679437 +E-mail/Text: bknotices@mbandw.com Jan 29 2020 00:00:44 McCarthy, Burgess & Wolf, 26000 Cannon Rd., Bedford, OH 44146-1807  
518679438 +E-mail/Text: Jerry.Bogar@conduent.com Jan 29 2020 00:01:20 New Jersey EzPass, 375 McCarter Hwy, Newark, NJ 07114-2562  
518679446 +E-mail/Text: bkrpt@retrievalmasters.com Jan 29 2020 00:00:14 Retrieval Masters Creditors Bureau, Inc., 4 Westchester Plaza Ste. 110, Elmsford, NY 10523-1616  
518679449 E-mail/Text: bankruptcy@td.com Jan 29 2020 00:00:21 TD Bank, 9000 Atrium Way, Mount Laurel, NJ 08054  
518679454 +E-mail/Text: wfmelectronicbankruptcynotifications@verizonwireless.com Jan 28 2020 23:57:35 Verizon, 500 Technology Dr., Ste. 550, Saint Charles, MO 63304-2225

District/off: 0312-1

User: admin  
Form ID: pdf901

Page 2 of 2  
Total Noticed: 52

Date Rcvd: Jan 28, 2020

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center  
(continued)

518679455 +E-mail/Text: bnc-bluestem@quantum3group.com Jan 29 2020 00:00:56 Webbank - Pearl Card,  
215 S State St Ste 1000, Salt Lake City, UT 84111-2336

TOTAL: 18

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.  
While the notice was still deliverable, the notice recipient was advised to update its address with the court  
immediately.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jan 30, 2020

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 27, 2020 at the address(es) listed below:

Bruno Bellucci, III on behalf of Debtor John C. Altoonian jkearney@belluccilaw.net,  
bbellucci@belluccilaw.net, lcanizzaro@belluccilaw.net, kpalermo@belluccilaw.net,  
ddillhoff@belluccilaw.net  
Jennifer L. Kearney on behalf of Debtor John C. Altoonian jkearney@belluccilaw.net  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 3